DOCUMENT RESUME

ED 223 893 CE 034 473

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TITLE Equal Employment Opportunity: What We Believe, What We Know, What Research Can Show.
SPONS AGENCY National Science Foundation, Washington, D.C.; Vanderbilt Univ., Nashville, Tenn.
PUB DATE Sep 82
GRANT SOC-7825037
NOTE 28p.; Paper presented at the Annual Meeting of the American Sociological Association (San Francisco, CA, September 6-10, 1982).
PUB TYPE Viewpoints (120) -- Speeches/Conference Papers (150)

EDRS PRICE MF01/PC02 Plus Postage.
DESCRIPTORS Adults; *Affirmative Action; Civil Rights Legislation; *Equal Opportunities (Jobs); Federal Legislation; *Racial Discrimination; *Reverse Discrimination; *Sex Discrimination
IDENTIFIERS Impact

ABSTRACT

Some Americans believe that governmental attempts to end discrimination in employment have gone too far, leading to reverse discrimination and excessive governmental power. Others believe that the government has not gone far enough. Evidence shows that discrimination against women and members of minority groups has declined, even though it is still common. Cases of reverse discrimination have occurred, but there is no evidence that it is widespread. Ambiguities in data and stories make concern about reverse discrimination understandable. Four basic types of reasons for the intensity of concern over equal employment opportunities and affirmative action exist, those related to: distributive justice, impact on employee income, governmental and business power and legitimacy, and social perceptions of labor force processes. Many social scientists at universities also believe that affirmative action is having an impact and that reverse discrimination is common. Their personal experiences seem to contradict results of systematic studies of equal employment opportunities and affirmative action, and their social positions in universities are likely to affect their perceptions. Gaps in knowledge about equal employment opportunities and affirmative action have implications for research in social stratification, other areas of sociology, and public policy. (YLB)

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Equal Employment Opportunity:

What We Believe, What We Know, What Research Can Show*

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Prepared for session on Research on Desegregation and Affirmative Action, annual meeting of the American Sociological Association, San Francisco, September 6-10, 1982

*I would like to thank Florence G. Katz for her counsel. The work upon which this paper was based was supported by National Science Foundation grant SOC-7825037 and a grant from the Vanderbilt University Research Council.

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Abstract

The passage and implementation of equal employment opportunity legislation has led to considerable tension in American society. Many white men (and some of their wives) feel threatened by what they see as changes in hiring and promotion policies which discriminate against them, while many women and members of minority groups are dissatisfied because they believe progress toward equal treatment is slow and injustice remains pervasive. A somewhat parallel conflict exists within the social sciences. Many social scientists claim that affirmative action programs have gone too far, leading to widespread unfairness in the name of equality, while others present evidence that federal enforcement of EEO programs has been erratic and its impact minimal. This paper considers why conclusions about affirmative action diverge so widely, both among the public and among social scientists; it considers why the findings of aggregate level studies contradict the personal experience of many social scientists; and it assesses the implications of this contradiction of future research on affirmative action and for public policy.

Equal Employment Opportunity:

What We Believe, What we Know, What Research Can Show

Affirmative action is causing widespread outrage. Theodore White represented the views of many people when he recently wrote in the New York Times Magazine, "What began as a quest to enlarge freedom and equality would ultimately require enlargement of Federal controls on a scale never envisioned by those who dreamed the dreams of the early 60's.... a monster... hangs over all American politics today: the division of Americans by race and national origin into groups entitled to special privileges. Beginning in 1964, the purpose of the Civil Rights Act has been twisted year by year, through executive order, judicial fiat, and bureaucratic appetite, into reverse discrimination never envisioned, and specifically forbidden, by the act itself" (1982, pp. 32, 72). The Wall Street Journal has editorialized that affirmative action "has...made significant numbers of Americans apoplectic. Some people are mad at affirmative action because they do not like blacks or Hispanics or women. Many more are offended by the assault on some very basic notions of individual worth, guilt, and merit in this society ("Looking Backward" 1980, p. 34). Senator Orrin Hatch has called affirmative action "an assault upon America" and proposed passage of a constitutional amendment prohibiting the state and federal governments from making distinctions on the basis of race, color, or national origin (Sawyer 1981a, p. A2).

In the face of accusations that they have been granted special privileges, women and members of minority groups claim that discrimination, not "reverse discrimination," remains widespread. White men continue to enjoy substantial advantages in income and occupation as compared to other groups. Almost 20 years after the passage of the Equal Pay Act of 1963 and the Civil Rights Act of 1964, women who work full time year round still make just 60 percent of what male full time workers make, while the average black man earns less than two-thirds of what white men earn.[1] Almost half of all women attribute at least part of the male/female difference to discrimination, while probably at least half of adult blacks feel the same way about the black/white difference.[2]

This paper examines the disagreement between those who believe that government attempts to end discrimination in employment have gone too far, leading to reverse discrimination and excessive government power, and those who believe that the government may not have gone far enough. This is not just an academic controversy. Congress is considering changing the federal laws against discrimination, and, according to the New York Times, the Reagan administration has begun "dismantling much of the Government's machinery for enforcing the rights of women and members of minorities" (Herbers 1982, p. 1). Thus, the current debate may affect government policy and the careers of millions of people for years to come.

The paper begins by considering a critical issue in the controversy over equal employment opportunity (EEO) and affirmative action: the prevalence of discrimination against women and members of minority groups (hereafter simply called "discrimination") and of reverse discrimination.

It then examines how the rather ambiguous "facts" about discrimination interact with other concerns, including distributive justice, income, power, and perceptions of labor force processes, to affect the debate about EEO and affirmative action.

The passions generated by the debate over affirmative action have affected the academic world as well as the general public; some of the most impassioned partisans in the debate are social scientists. The paper presents a puzzle, in which the results of the most systematic studies of EEO and affirmative action seem to contradict the personal experience of many social scientists, and considers how the social position of those in universities is likely to affect their perceptions of EEO and affirmative action.

Finally, the paper considers the implications of the analysis for future research and public policy. It turns out that any attempt to base a discussion of merit and discrimination in the labor market on the present level of social scientific knowledge would be resting on a very insubstantial base indeed, but there are some practical steps which can be taken to simultaneously make contributions to social science and contribute to debates over public policy.

DISCRIMINATION AND REVERSE DISCRIMINATION: WHAT ARE THE FACTS?

Before the passage of civil rights legislation in the 1960s, it was easy to document widespread employment discrimination against blacks, women, Jews, and members of other groups. Want ads and job descriptions sent to employment agencies routinely called for the exclusion of members of various groups from employment, regardless of merit, and major employers were perfectly willing to state publicly that they simply did not hire blacks for any but the most menial positions; labor unions had "whites only" clauses in their constitutions (see, e.g., Hill 1977; Kesselman 1948; Ruchames 1953; U.S. Congress 1963).

The prohibition of discrimination in employment has made it more difficult to find evidence of discrimination recently; prudent employers and union leaders do not publicly announce that they are breaking the law.

Evidence about discrimination is crucial in the debate over equal employment opportunity and affirmative action, however. If discrimination against women and members of minority groups has become rare while reverse discrimination--discrimination against white men[3]--has become common, then demands for more affirmative action may be unnecessary and may even be a cover for claims for special privilege. If discrimination against women and members of minority groups remains rampant while reverse discrimination is rare, however, arguments against strong EEO enforcement lose much of their force.

What is the evidence? There is growing evidence that discrimination against women and members of minority groups has declined (Dorn 1979, ch. 5; Lipset 1979, pp. xxxi-xxxii; Ratner 1980a). But <u>how</u> <u>much</u> has it declined?

How pervasive is it now? Here measurement problems allow plenty of room for disagreement.

How can discrimination be measured? There are at least four ways. The first would be to ask employers, unions leaders and others in a position to discriminate whether they do so. This approach is likely to produce underestimates of the true prevalence of discrimination, for obvious reasons, and has not been tried.[4]

A second way to gauge the prevalence of discrimination is to see how often people complain about it to the government. The number of complaints filed with the Equal Employment Opportunity Commission, which has been responsible for enforcing most cases under Title 7 of the Civil Rights Act of 1964, has risen steadily since the law was passed, and the number of court cases and actions taken by other government agencies have risen as well (Benokraitis and Feagin 1978; Welch 1981). It is probably safe to say that by now a significant number of complaints have been filed against most major American corporations, unions, and government agencies.

However, the precise meaning of the rising trend in complaints and court judgments of discrimination is open to dispute. There are reasons to think that the number of complaints overestimates the amount of discrimination (some complaints will be dismissed as groundless, after all); but there are also reasons to think that the number of complaints underestimates the amount of discrimination (people are not always aware they have been discriminated against, they may be afraid to complain or think it useless, etc.). But the trends provide little basis for concluding that discrimination is declining, much less that it has almost disappeared.

A third way to gauge the prevalence of discrimination would be to ask workers whether they have been discriminated against. This approach might produce overestimates of the "true" frequency of discrimination (though it might not, since much discrimination can take place without the victim being aware of it, as when he or she is told no jobs are available, when in fact there are), but would be worth trying. Very little data of this type has been collected, and none that can be used to trace changes over time, but what is available shows that depending on the group polled, from 20 to 80 percent of women and blacks believe they have been discriminated against or must perform better than white men to get ahead.[5]

The fourth way to measure discrimination is the least satisfactory and the most frequently used. This is to compare certain outcomes which may be affected by discrimination--white and black incomes, for example--and to attribute part or all of the difference to discrimination. This is the method used in most sociological and economic studies of labor market discrimination (see, e.g., Featherman and Hauser 1976), in many court cases, and by at least some opponents of affirmative action in their efforts to show that discrimination has declined. Nathan Glazer, for example, cites convergence in white and black incomes, and changes in blacks' occupational distribution, as evidence that discrimination has declined (Glazer 1978, ch. 2, especially pp. 41-43, 72). Unfortunately, as everyone knows, this approach utilizes no

data on discrimination itself. Instead, it assumes that some of the income difference between groups which is not due to standard measures of productivity (such as education and experience) or relevant demographic differences (such as age or region of the country) must be due to discrimination. This is plausible, but it is just a hypothesis, no more supported by data in the studies than the hypotheses that the income differences are due to differences in group levels of ambition, preferences for different kinds of jobs, or even innate capacities (see Gwartney and Stroup 1973).

Thus, discrimination has declined, but it is hard to say how much, and it would certainly be stretching the data a great deal to conclude that employment discrimination is largely a thing of the past.

What about reverse discrimination? Have the evils of discrimination been supplemented by the evils of reverse discrimination? Seeking the same kind of evidence as above, we can say again that we have no systematically collected evidence from employers. There have been some complaints of reverse discrimination to government agencies and some well-known court cases, but they amount to a handful compared to complaints alleging discrimination against women and minorities (Burstein 1979, p. 389). White men are strongly opposed to reverse discrimination (as almost everyone is; Lipset and Schneider 1978), but, oddly enough given the interest the issue has aroused, no national poll data on personal experiences with it have been published. A few studies provide evidence that some white men believe they have been discriminated against or may have their careers affected by affirmative action, but the proportions are always substantially smaller than the proportion of women and blacks who feel discriminated against (Hopkins 1980; Fernandez 1981, p. 118). And, if statistical studies of income determination may be used as evidence, such studies would show, if reverse discrimination were widespread, that blacks were starting to earn more than comparably qualified whites, and women more than comparably qualified men. But among hundreds of published studies, I have been able to discover only one providing evidence consistent with the existence of significant reverse discrimination--Thomas Sowell's study of academic salaries (1976). There is no statistical evidence of reverse discrimination in the labor force as a whole.

Thus, when evidence for the existence of reverse discrimination parallel to the evidence for "ordinary" discrimination is sought, little is found. Instead, claims that reverse discrimination is widespread are based on other kinds of evidence, primarily anecdotal and documentary.

Because of the power of human interest stories and colorful anecdotes, articles about reverse discrimination and even ordinary affirmative action often begin with horror stories describing the evils and absurdities stemming from particular instances of its application--business deals disrupted ("Firms are Disrupted by Wave of Pregnancy at Manager Level" 1981), firms forced into absurd behavior by nit-picking federal bureaucrats (Sawyer 1981b), the disruption of decent working relationships in federal agencies (Reed 1981), the autonomy of local governments destroyed (Glazer 1978, p. ix; see also "The New Bias on Hiring Rules: 1981; "It's the Thought That Matters" 1981). Such stories, if taken at face value, very effectively make the point that

EEO or affirmative action programs can lead to injustice or inefficiency.

Anecdotes may be rhetorically effective, but they are not systematic evidence, because there is no reason to think that the stories are representative of the general run of relevant events. Thus, for example, the Wall Street Journal turned a few stories about female middle managers becoming pregnant into a page-one article, "Firms are Disrupted by Wave of Pregnancy at the Manager Level" (1981), implying that the pregnancies were doing widespread harm to corporations--the price to be paid for making women managers. A bit of demographic follow-up analysis in the Washington Post showed, however, that only a tiny proportion of female managers had gotten pregnant, and that even if every woman in her thirties who had gotten pregnant had been a middle manager, the proportion of managers affected would have been infinitesimal (Mann 1981). Reporting five stories about purportedly negative consequences of affirmative action while ignoring the possibiility that there may be a thousand equally compelling stories about discrimination against women and minorities may be clever politics and acceptable journalism, but it is bad reporting of the state of the world (also see Abramson 1977).

Many writers realize that anecdotes are not enough, so they also provide documentary evidence of the pervasiveness of reverse discrimination, focusing particularly on federal monitoring of compliance and demands for affirmative action plans which include goals and timetables for the employment of women and members of minority groups (Glazer 1978, Ch. 2, for example). But everyone familiar with how government works realizes that the completion of affirmative action plans and the filing of reports is evidence only of the completion of plans and the filing of reports. Whether this leads to any change in employment practices, much less reverse discrimination, is a moot point. In fact, there is considerable evidence that companies resisted reporting requirements for years, that many are very successful at foot-dragging, and that whatever the state of companies' affirmative action plans, the federal government rarely cuts off contracts or does anything else of consequence to companies whose EEO progress is slow. Thus, during the first 16 years of the federal contract compliance program, which requires companies with federal contracts to have affirmative action plans, the total number of contract cutoffs was 27--this during a time in which hundreds of major companies were shown in court to have discriminated in employment ("The New Bias on Hiring Rules" 1981). There is no doubt that the federal government is requiring lots of annoying and possibly expensive paperwork. But the evidence that this has led to the establishement of goals, quotas, or reverse discrimination, in any practical sense, is far from overwhelming (see also Benokraitis and Feagin 1978; Abramson 1979; cf. "Looking Backward" 1981).

Thus, discrimination against women and members of minority groups has declined, but it is almost certainly still common. There have no doubt been cases of reverse discrimination, but there is no evidence that it is widespread. Difficulties in gathering evidence about discrimination make it impossible to be any more definitive now. There are enough ambiguities in data and stories of reverse discrimination to make concern about reverse discrimination understandable. But why such intensity of concern? I think

that there are four basic types of reasons--those related to distributive justice, income, power, and social perceptions.

REVERSE DISCRIMINATION: AMBIGUOUS DATA AND INTENSE CONCERN

Distributive Justice (or, What Happened to Merit?)

One of the most fundamental and frequently voiced objections to affirmative action is that it weakens the merit principle through court decisions and affirmative action guidelines which promise rewards on the basis of race or gender rather than talent, effort, or productivity. This alleged attack on the merit principle runs counter to basic American values, the norms of universalism and achievement, and fundamental principles of fairness and distributive justice.

Because most Americans (including most blacks and women) favor the merit principle (Lipset and Schneider 1978), an attack on it would be a serious matter indeed. But how well does the "merit principle" work in practice? As everyone who has worked in an organization or read the organizational literature knows, the process of hiring, promoting, and rewarding employees involves (like other organizational processes) a lot of satisficing behavior--using rules of thumb, crude indicators of productivity to make decisions, testing and selection procedures which even personnel psychologists admit are imperfect, etc., as well as a certain amount of office politics, the hiring of friends and relatives, and even a certain degree of capriciousness (see, e.g., Granovetter 1974; Kanter 1977; Thurow 1975; Homans 1974, p. 231). In a general way, organizations are concerned with merit, but merit is hard to measure (so hard, in fact, that neither sociologists nor economists measure it in their studies of the labor force). Because merit is so difficult to gauge, and because small differences in merit probably make no significant difference in performance, at least in any predictable way, most hiring decisions are only partly constrained by merit considerations.

American courts and administrative agencies have been forced to take note of this fact when considering EEO cases. Again and again it has been shown that major corporations, government agencies, and unions make employment decisions in ways only loosely tied to merit. They require types or amounts of education irrelevant to job performance, give tests which cannot be shown to predict performance, exclude whole categories of people from jobs (women from skilled manual jobs, for instance) for reasons having nothing to do with individual merit or business efficiency, make employment decisions on the basis of judgments about people's personal lives rather than about performance, and use systems of tests and promotion rules originally designed to make blacks, women, or members of other groups look bad (see, e.g., Schlei and Grossman 1976, 1979; Rosenbloom 1977; Gould 1981). Over and over, the courts and EEO enforcement agencies have concluded that employers allow many factors other than merit to influence employment outcomes.

Some critics of the courts and agencies will object at this point, claiming that the systems being thrown out are in fact merit systems, and

that the courts and agencies use tortured logic and ideology to argue that thay are not. This is partly a matter of interpretation. I think that a fair reading of the cases will convince one that most of them are not subtle and do not involve tortured logic. The courts and agencies are simply discovering what many economists, sociologists and personnel psychologists have long known--that merit is difficult to ascertain and that many other factors are typically used in making employment decisions. The courts have concluded that, legally, employers can make employment decisions any way they choose, so long as their procedures have no disproportionately negative impact on women or members of minority groups. If the procedures do have such a negative impact, then the employers must show that they are based on merit as most people would intuitively define it. It is hard to see how any of this represents an attack on the merit principle as it actually operates (Schlei and Grossman 1976, 1979).

There is another way in which affirmative action has been seen as unjust, however. When an employer has been found to have illegally discriminated, it may be required to compensate members of the victim group in some way, including hiring or promoting according to a quota. This may deprive members of a different group of jobs for which they are qualified; they suffer, not because of anything they have done, but because of something the employer had done. This seems unfair. For example, a police department which had discriminated against Hispanics may have to fill half of its next 50 openings with Hispanic applicants, thereby depriving some Anglo applicants who might arguably be more highly qualified.

There is no doubt that this involves some unfairness. Yet the two most obvious alternative ways to react to a finding of discrimination contain elements of unfairness too. If those who had been discriminated against were given the actual jobs they had been deprived of, the present holders of the jobs--who had not themselves discriminated but simply taken advantage of the employer's actions--would lose them. If those who had been discriminated against get nothing more from the employer than the right to compete on an equal footing, they are left utterly uncompensated for the deprivations they had suffered, and the employer essentially goes unpunished. A debate over the relative degrees of unfairness involved in each alternative is certainly possible, but, in a situation where somebody suffers no matter what course of action is chosen, the presently utilized middle way is not conspicuously more unfair than the alternatives.[6]

There is another way in which ideas about distributive justice may influence evaluations of labor market processes, however. Homans and others have pointed out that people tend to assume, in the absence of clear evidence to the contrary, that any present distribution of rewards must have come about through a fair procedure--"whatever is, is always on the way to becoming right" (Homans 1974, p. 263; see also Lerner et al. 1976; Cook 1975). Many people are likely to reason backwards, from rewards to merit, and conclude that, because blacks, women, and members of other groups are so poorly rewarded, <u>therefore</u> they must be incompetent. And this "knowledge" will affect how group members are evaluated subsequently, reduce their future employment opportunities, and serve to justify the initial reasoning

(Thurow 1975; Hamner et al. 1974). Those who favor fairness in the labor market must take into account the possibility that notions of justice, as conventionally arrived at, may work against truly fair treatment.

Income

A second important factor affecting attitudes toward EEO and affirmative action is their likely impact on people's incomes. While many of those who write about affirmative action have secure positions in life (such as tenured positions in universities), many people are not so fortunate.[7] Both theoretical and empirical studies consistently show that whites gain economically from discrimination against blacks, and men gain economically from discrimination against women (Villemez 1977). Therefore, equal treatment in the labor market --not special privileges or reverse discrimination--will harm a lot of people, mostly less competent white men who find themselves having to compete with women and members of minority groups. They (and their wives in some cases) may have a good deal to lose if discrimination ends and EEO becomes the norm. For those who realize that they face a threat from women or minority group members more competent than they, resistance to EEO makes sense.

Although this fear of equal competition is sometimes mentioned by ordinary citizens interviewed by journalists, we do not hear this argument made too often. There are probably two reasons for this. First, it is difficult to organize around slogans calling explicitly for the protection of the inept. It is much more politic to claim that reverse discrimination, and not EEO, is the problem, so that one appears interested in principles of fundamental fairness rather than simple economic self-interest.

Second, many of the less competent who are threatened by EEO will sincerely believe that they are not losing out on the basis of merit, but that they are victims of reverse discrimination. If one believes, as most Americans do, that past rewards were deserved, then one "knows" that women and members of minority groups cannot be very competent. Therefore, one is likely to conclude that losing a job, promotion, or raise in a contest with such a person could not have been the result of a fair procedure, and that the reason must have been reverse discrimination.[8]

Those who gained from past discrimination can be expected to attack affirmative action and reverse discrimination. This would be true even if no reverse discrimination ever took place.

Power and Legitimacy

Concerns about power and legitimacy are relevant to affirmative action and EEO in at least three ways. The first and most frequently discussed is the power the federal government uses in its EEO activities--supervising almost every enterprise of significant size in the country, requiring periodic reports attesting to proper behavior, continually threatening lawsuits, loss of federal contracts, or withdrawal of federal grants. To opponents of EEO and affirmative action, this seemingly ubiquitous federal activity

runs counter to fundamental American beliefs about the value of liberty and the virtue of keeping government small.

This objection has to be taken very seriously. The EEO enforcement apparatus does infringe on people's freedom. The argument is somewhat more balanced with regard to practical matters, however. Like every public policy, EEO policy was adopted in a process which balanced prospective benefits against prospective costs; the same balancing process continues in congressional debates about amending the laws and appropriating money for their enforcement and in the decisions of the courts and administrative agencies. Any government attempt to end discrimination, including a purely color- and gender-blind EEO approach with no affirmative action at all, would involve some government intrusion into people's lives in the interest of enforcement, and some deprivation of liberty as people are required not to discriminate. Those who favor EEO must, as a practical matter, favor some government intrusion into people's lives. Disagreements revolve around precisely how liberty and equality are to be balanced. This is a matter of preferences and politics, not principle.

But there is another way in which power is involved in the controversy over EEO and affirmative action. In one of the first serious theoretical works on employment discrimination, Gary Becker showed (1971), very logically, how economic rationality and the workings of the market should lead to the disappearance of discrimination against blacks in employment. Unfortunely for blacks and for the theory, discrimination did not disappear. I would argue that this was at least partly because employers are not only prejudiced (they have a "taste for discrimination," as Becker puts it), but they also have the power to act on this prejudice in the face of market forces (which Becker did not consider), and they want to continue doing so. There is considerable evidence that employers devote much effort to maintaining control of workers' behavior in ways that go beyond the requirements of production--control of dress, demeanor, political attitudes, off-premise activities, etc. (Collins 1971; 1975, ch. 6; Parkin 1971, Ch. 2). And employers resist any attempt to reduce their power, including attempts by unions to influence working conditions and efforts by government to establish maximum hours, safe working conditions, or other rules governing the workplace.

However arbitrarily employers use their power, we might say they have the right to do so. As a practical matter, however, the liberty which some individuals would gain (or get back) if government affirmative action activities were reduced would be used to reduce the liberty of blacks, women, and others--to deny them the possibility of working where they may make best use of their capacities and earn what they are worth. One may oppose the expansion of government power implied by EEO laws, but still consider this a lesser evil than the consequences of the exercise of private power which is the likely alternative.

The enforcement of EEO laws may also affect the legitimacy of major institutions. The public discussion of the labor market which it forces upon people has the same effect as public discussion of other institutions. It aggregates thousands of individual decisions and publicizes the patterns

discovered, makes obvious the weak justification for many established procedures, highlights the political aspects of major institutions, and provides the opportunity for those formerly excluded from power to have some say in subsequent discussions. Thus, just as the nationalization of some health care costs helped set the stage for an element of public rather than private decision-making about the efficacy of medical procedures, access to hospitals, fee setting, hospital expansion and quality control, so EEO laws have led to public scrutiny of labor market decisions and have helped document the pervasiveness of discrimination, the frequently ad hoc nature of hiring decisions, and the use of social and political power to reward some social groups and punish others. This is bound to make many people uncomfortable. The claim by employers, union leaders, and others that they would hire or promote members of minority groups, if only they could find some who were qualified, loses much of its force when it becomes obvious that hiring and promotion proceed to a considerable degree through unvalidated tests, decisions of front line supervisors based upon unwritten criteria, friendship, and nepotism. The comforting belief most people have that they have risen through merit is challenged by accusations that it is easy to win a contest from which a high proportion of potential contestants have been excluded because of non-merit related attributes. Public scrutiny of employment procedures leads to a great deal of embarrassment which many people would rather avoid.

Social Perceptions

The final set of possible reasons for the intensity of concern over affirmative action involves social perceptions of the labor market, beyond those associated with the beliefs about distributive justice and public discussions of the labor market already mentioned. These include perceptions of personnel decisions and rates of change in the labor market.

Personnel decisions. As noted above, many people who see a white man losing a job, promotion, etc., to a woman or members of a minority group are likely to assume that this outcome must have been the result of reverse discrimination. It seems reasonable to suggest that perceptions of the prevalence of reverse discrimination may be heightened even more by personnel officers or supervisors who hint or state to people they reject that affirmative action requirements are the reason, even when this is not so (Benokraitis and Feagin 1978, p. 185). In some cases, it will be easier to tell a person he is being turned down for reasons imposed by others than to say that the reason is relative lack of merit. In other cases, those opposed to EEO may spread such stories in order to increase resistance to it. Because potential victims of reverse discrimination are so sensitive to the possibility of its occurrence, reports of each alleged incident will be widely discussed; each perceived incident, whether it was an actual incident of reverse discrimination or not, will be heard about by many people. Thus, perceptions of the frequency of reverse discrimination will probably exceed the actual frequency by whole orders of magnitude.

Visibility of change. Finally the effects of changes in employment practices--whether due to EEO, affirmative action, or reverse discrimination--are likely to be much more visible than their aggregate impact warrants.

Everyone tends to notice change, and the few women and members of minority groups entering new jobs are likely to be extremely visible. The hiring of five female coal miners, for example, is likely to excite far more comment than the hiring of a thousand males, and the women's performance is likely to come under closer scrutiny, too. It is almost inevitable that many people will have a greatly exaggerated impression of the amount of change in the labor market.

Thus, there are many reasons to expect intense objections to EEO law enforcement, quite apart from the dangers of reverse discrimination. EEO will harm the less competent beneficiaries of previous employment practices, upset conventional beliefs about previous employment practices and threaten people's beliefs about their own route to success, question the power of employers, and lead to exaggerated perceptions of change. A number of social and psychological factors, some tied to EEO and others related to it only by circumstance, almost guarantee that reports of reverse discrimination will be greatly exaggerated.

Yet, despite all of this, it is hard to believe that affirmative action has had little effect or that reverse discrimination is rare. It is hard to believe this because our personal experiences as social scientists, particularly in universities, seem to tell us otherwise. Most of us know better than to assume our personal experiences are representative, but at the same time, they cannot be dismissed completely. And it seems to be an almost universal belief (among white men, anyway) that affirmative action is having a major impact on universities, and that reverse discrimination is not uncommon.

How can we be mistaken?

SOCIAL SCIENTISTS AND AFFIRMATIVE ACTION

Social scientists are, of course, likely to be subject to the same insecurities and misperceptions as everyone else. Beyond that, however, I think that there are several characteristics of universities which make professors ununsually likely to believe affirmative action is having an impact and that reverse discrimination is common. First, because universities are generally extremely decentralized, with internal decisions relatively little subject to market forces, faculty employment criteria can be quite arbitrary. When part of the university community favors change in employment criteria or procedures, such changes are relatively easy to begin (Sowell 1975, Ch. 6). Thus, when anti-Semitism was popular, some of the foremost American universities were anti-Semitic; when it became unpopular, they stopped. When it was all right to exclude blacks, blacks were excluded; when ideological trends shifted, blacks were brought in (see, e.g., Synott 1979). All of this is relatively easy to bring about because professors in most departments do not depend on one another in any crucial way, so the production of teaching and scholarship can go on even as new types of people are admitted or excluded. Affirmative action and even reverse discrimination can enter the precincts of universities more easily than those of many other types of employers.

Second, in universities far more than in most businesses, a large proportion of the employees are involved in hiring decisions. The collegial approach of having many faculty in a department involved in hiring and promotion decisions means that everyone will be active in discussing employment criteria. This could mean everyone's perceptions of the procedures will be highly accurate. It seems more likely, however, that widespread involvement will lead to a high level of emotional involvement and the promulgation of more reports of the alleged impact of affirmative action.

Third, most academics have always done well on the sorts of aptitude and achievement tests whose validity is often called into question in EEO cases. Despite increasing evidence that such tests were originally designed and used with racist and sexist goals in mind (Gould 1981), it is hard to accept attacks on something which has probably played a role in the success of many of us.

Finally, professors may feel unusually vulverable to affirmative action programs because they are in fact vulnerable, if the logic of many EEO cases is carried through. Part of what EEO law is coming to require is that employers have validated criteria for hiring and promotion decisions, at least where there is some evidence of discrimination. That is, it must be clear what applicants have to do to be hired or promoted, and the criteria must be shown to have a significant connection to the purposes of the business. If there is one thing universities typically do not have, it is clear employment criteria related to university purposes. The teaching abilities of candidates for hiring or promotion are often not evaluated at all, much less evaluated according to clear criteria, especially in the more prestigious universities. The criteria by which contributions to scholarship are evaluated are not exactly precise, either. Of course, it is widely held that the criteria involve subtle professional judgments not readily put on paper, and that academic autonomy and freedom would be threatened by the demand that criteria be made clear. But I would guess that in 99 percent of cases, the judgments are not at all subtle, and would also suggest that the differences between "academic freedom" and "management prerogatives" may be difficult for women and minority group members to detect. University departments would be hard pressed to show that, rather than being subtle, professional judgments are not often capricious and have the effect, sometimes intended and sometimes not, of discriminating against women and members of minority groups. I am not saying that one could not justify hiring Otis Dudley Duncan rather than a new Ph.D. recipient who had never published anything. But in many cases it is likely that departments would find it extremely difficult to show why one person out of the top five or ten candidates was made an offer, rather than another. This lack of clear, agreed-upon standards has been manifested recently, and ironically, at Harvard University, where the faculty of the Department of Sociology found itself so unable to agree on who to hire that the right to make offers was taken out of the Department's hands by the University administration (Schumer 1981; "Harvard to Name a Panel...." 1981).

As a matter of fact, though university faculties have reason to worry about affirmative action being applied to them, there is little danger of its

happening, at least in any consequential way. As Elizabeth Bartholet has shown recently in the Harvard Law Review (1982), the federal courts seem to be fashioning two types of EEO case law--one for blue collar and lower level white collar employment, where employment practices will be held up to strict scrutiny, and one for professional and managerial positions, where only extremely obvious abuses will be questioned. If present trends continue, university faculties will not have to worry very much about reverse discrimination.

SOME IMPLICATIONS FOR RESEARCH

The gaps in our knowledge about EEO and affirmative action have important implications for research in social stratification, other areas of sociology, and public policy.

The implications for the study of social stratification are obvious and crucial. The public record now shows clearly how little we know about variables which are of central concern in theories of stratification, EEO cases, and common sense ideas about the labor market, including merit, skill, productivity, hard work, and discrimination. Such variables are simply not included in most of our studies.

Are rewards associated with achievement or ascription? We can say a good deal about ascription, but precious little about achievement (on this point, see Schuman et al. 1981). Originally there were good reasons for not considering what goes into achievement--talent is hard to measure, character traits are intangible, education is a (barely) tolerable measure of productivity--but we have gotten so comfortable in standard ways of doing research that it may require some public embarrassment to get us back to the study of what leads to achievement.

Similarly, scores of statistical studies of labor market discrimination are published every year, yet in almost every one of them, discrimination is a residual category, its existence inferred from unexplained variance. Discrimination, like merit, is difficult to conceptualize and measure, but the difficulty must be faced.

There are two trends in the social sciences which make this a good time to redirect our empirical work toward the study of these relatively neglected variables. First is the collection of a large body of data on the public record, in court and agency cases, about what merit, achievement, and similar concepts mean in work settings. Lawyers and their social science consultants have already begun to consider how this data may be used to analyze labor market processes. Second is the recent trend in sociology toward disaggregated stratification studies, moving from national level studies to the analysis of industries, firms, and even individual personnel records (Baron and Bielby 1982; Rosenbaum 1979; Spilerman 1977). A logical next step in such studies would be to see what company records have to say about what really goes into employee evaluation.

Another implication for research stems from the increasing part played

by women in the fight for EEO. Nearly all the congressional debate on EEO, initial agency and court attention, and early academic studies focused on blacks. This situation is changing, as an increasing part of the court and agency caseload and somewhat more studies of EEO consider women (Beller 1982; Burstein 1979). But a focus on women points up yet other weaknesses in our models of stratification and our ways of measuring intergroup differences in income. Most studies of EEO ignore the roles played by labor force participation, unemployment, and training in determining intergroup income differences, while studies of labor force activities ignore EEO (Dorn 1979, Ch. 2, 4; Burstein 1979). It is time for synthesis.

There are some more mundane implications for research as well. As noted above, polling organizations have asked people what they think about discrimination, affirmative action, and reverse discrimination. But we have little poll data on the actual incidence of discrimination as perceived by those who feel themselves its victims, nor do we have data on experiences with affirmative action programs. It should be possible to get some.

Finally, we need to develop formal models for predicting the effects of EEO, so that we can know what to expect under varying conditions, given our knowledge of stratification and of legal and political circumstances. Some work by Shelby Stewman and others is moving in this direction at the organizational level, but more is needed. Without knowing what to expect, we have a difficult time evaluating the rates of change we see.

Sociologists who study stratification often claim to be studying the "rules" by which society distributes rewards. Federal courts and administrative agencies are now also studying such "rules," and are also, in appropriate circumstances, trying to establish real rules--without the quotes--with the force of law. By taking this type of rule-making seriously, sociologists could make real gains in theoretical and empirical understanding of stratification while also contributing to public debate about a crucial issue. If sociologists fail to take advantage of this opportunity, the discipline will lose a chance to improve itself, while public debate will be left to rhetoric and anecdote.

IMPLICATIONS FOR PUBLIC POLICY

EEO laws and executive orders appear to heighten social and political tensions in the United States without greatly reducing inequality (Sowell 1981; Butler and Heckman 1977; Burstein 1979). This situation is a political puzzle because it seems to be in no one's interest--neither that of women and members of minority groups who want to minimize antagonism to their progress, nor that of white men who feel subject to judicial and bureaucratic onslaughts. A situation in no one's interest is likely to change. The question is this: given the goal of equal opportunity, is this tension-filled situation the best of all possible worlds, or can the law be changed in ways which would lead more effectively to EEO while avoiding the dangers of special privilege and bureaucratic aggrandizement?

It is important to begin with a crucial point: much of the present tension and hostility would be associated with any government EEO policy, because important interests are really in conflict. Women and members of minority groups want to do better economically, but their doing so is bound to hurt other people. In addition, employers and union leaders will resist threats to their power, including their power to discriminate, no matter what the source of the threat or the details. No amount of tinkering with the law will eliminate this clash of interests.

Nevertheless, it is still possible to ask whether the tension level could be reduced, the effectiveness of the law increased, or both, for those who really want EEO without special privilege.

Unfortunately, an examination of past debates and present proposals does not provide much help. Although the process leading to the adoption of the present federal EEO law took over 30 years, almost all of the public debate revolved around the wisdom of adopting a particular type of EEO bill, and very few alternative ideas were proposed (Burstein and MacLeod 1980). The EEO laws of other nations tend either to draw on U.S. law or to depend on institutional mechanisms not available in this country (Ratner 1980b). Businessmen and others critical of the law have generally managed only to complain and to propose weaker enforcement, leaving the development of better alternatives to others (e.g., "The New Bias on Hiring Rules;" Pear 1981). Women's organizations have been trying to get a hearing for the doctrine of equal pay for work of equal value, in which the pay for stereotypically women's jobs (such as nurse) would be raised to the pay level for men's jobs requiring comparable training and experience, but have made little headway.[9] The number of new ideas around is small.

Several things could be done within the context of the present law to reduce hostility to enforcement without reducing effectiveness, however. First, it is very important for federal agencies to be firm and consistent in enforcement. Businesses value a stable environment so much that they sometimes act as if they would prefer strong but stable EEO enforcement to enforcement that was weaker but unpredictable (Greenberger 1982). This point does not seem to be completely understood by the Reagan administration.

Second, it makes sense to think about how the enforcement agencies (particularly the Equal Employment Opportunity Commission) should direct their resources. The trend in the late 1970s toward concentrating on systemic discrimination (or class action cases) rather than individual complaints was a step in the right direction, but aroused hostility when it seemed to lead to timetables for compliance in very small organizational units within employers or firms (Sowell 1976). It might be worthwhile to focus initial monitoring efforts on the relative wages and unemployment rates of different groups within industries and professions in entire labor markets (such as SMSAs), rather than on specific organizational units or even firms. This would focus attention on a matter of ultimate concern, the economic situation of women and minorities, while giving both them and employers maximum flexibility in determining how the move toward economic equality would come about. All employers in an area would have a common interest in the economic

advance of women and minorities, while those in an area that did relatively poorly would all suffer the risk of coming under strict agency scrutiny.

Third, the results orientation in EEO enforcement, which has so often been the target of criticism, might usefully be emphasized further. As has often been noted (e.g., Ratner 1980a, p. 41), enforcement agencies and those who study EEO tend to focus on the results of labor market processes, such as income, rather than on the processes themselves, even though EEO laws ostensibly address themselves to process rather than result. This is because it is much easier to get valid data on results. This shift in focus has been described as a perversion of the law, but could have positive consequences. Part of the problem with EEO laws, many claim, is the close supervision of employers by federal agencies which demand vast amounts of paperwork and interfere with employers' autonomy. It is even said that some employers resort to quota systems, knowing that if their EEO results are satisfactory, they will not be held accountable for justifying their employment processes. If such quotas lead to no loss of business efficiency, then presumably qualified people are being hired, and no one should object. If quotas sometimes lead to reduced efficiency, presumably employers will try to overcome this by hiring the best qualified or devising other ways to maintain efficiency while increasing their representation of women and minorities. The strategy of having the government specify ends, but letting business choose the means, is favored now by many people for a variety of aspects of government regulation. A results-oriented might give some autonomy back to employers without hurting the economic prospects of women and minorities.

To increase the effectiveness of the law, though possibly at the cost of increased hostility, a critical next step is to get women and members of minority groups into positions of authority in the workplace. The easy victories have been won--it has been accepted now, at least in principle, that women can be electricians and blacks can be long distance truck drivers. What is less clear is that developing legal doctrines will enable women or members of minority groups to gain access to positions of real consequence (Bartholet 1982). Yet the lack of such access has reduced their incomes (Wolf and Fligstein 1979; Kluegel 1978) and renders all previous gains precarious. There is no guarantee that the situation of blacks or women will improve in the future; the circumstances of both groups have deteriorated in the past when their power position weakened (Hill 1977; Chafe 1977, ch. 2). Thus, much effort must be devoted to the development of legal doctrines and political power that will make possible a rise to positions of economic power and influence.

Finally, it must be noted that much of what is important to EEO takes place outside the domain of EEO law, at least as that law is defined in the United States (Ratner 1980b). The labor force situation of women (and, ultimately, of everyone) depends upon many things not now seen as related to discrimination, including flexible hours, the availability of child care, how the tax laws treat two-earner faimilies, the division of labor within the household, etc. Thinking about labor markets has inevitably led to thinking about family life, male-female relations, the legal treatment of women generally, and other broad issues. This process is a threat to some and a much-desired challenge to others, but its implications are likely to form a substantial part of the political agenda for the next few years.

CONCLUSIONS

The conflict over EEO, affirmative action, and reverse discrimination has many sources. Much of it is probably unavoidable in any society in which equal opportunity is a goal but not a reality, because many people will suffer economic losses as the goal of equal opportunity is approached, and many others will think quite sincerely that reverse discrimination is pervasive even when it is not. Social scientists (or at least white male social scientists) seem no less hostile to EEO than members of other groups, at least partly because our social position renders us unusually vulnerable to misperceptions and threats of loss.

At the same time, however, those opposed to affirmative action have legitimate concerns. Quotas based on ascribed characteristics seem inherently unfair, and the enshrinement of ethnic and racial groups in the American legal system could have serious consequences (Glazer 1978). But arguments about quotas and ethnic and racial groups must be put in context. There have always been quotas in American educational and economic institutions (often the quota was zero blacks and women). The legal recognition of racial groups has a history as long as the country's, and the organization of social life and distribution of economic rewards on an ethnic basis has a long (if not quite so legally enshrined) history as well. It is reasonable to be concerned about where contemporary manifestations of conflict will lead, but it is also necessary to avoid what the Supreme Court has called the "parade of imaginary horribles." The solution of some old problems may lead to the development of some new ones, but this does not foretell future catastrophe.

Footnotes

[1]Income data for 1979 are in U.S. Bureau of the Census 1981, pp. 405, 444. The proportions have changed little since then.

[2]When women were asked by the Gallup poll in late 1976, "Do you think that women in the United States have equal job opportunities with men, or not?" forty-six percent said no (Gallup 1977, p. 942). When blacks were asked in July, 1978, "In general, do you think Blacks have as good a chance as white people in your community to get any kind of job for which they are qualified, or don't you think they have as good a chance?" fifty-three percent answered that their chances were not as good (Gallup 1978, p. 220).

[3]"Reverse discrimination" is commonly understood to mean discrimination against white men. It never means discrimination against Hispanic men, however, almost all of whom are white. What is really meant is discrimination against "Anglo" men, but in many parts of the country the term "Anglo" is not in daily use. In this paper, "reverse discrimination" will mean discrimination against majority or dominant group members. Problems with naming racial and ethnic groups have been discussed elsewhere.

[4]Employers do admit discriminating when they can do so anonymously, however. The Wall Street Journal reports, for example, that "Recruiters say prejudice against Jews and ethnic groups still prevails in many companies, especially in smaller communities. 'Sometimes, people never get beyond the names,' one recruiter observes" (Ricklefs 1979).

[5]See footnote 2 and Hopkins 1980; Fernandez 1981, pp. 37, 95. In the Gallup poll cited in footnote 2, even about half the men believe women don't

have an equal chance, and a fifth of whites feel blacks don't have an equal chance. Gallup did not ask about personal experiences of discrimination, however.

[6]See "Employment Discrimination and Title VII of the Civil Rights Act of 1964" (1971). Further complications are introduced into EEO cases by the fact that it may not be the actual victims of discrimination who are compensated. Because proven discrimination may have taken place a long time before cases are decided and because its victims may not have been aware they were being discriminated against, it is often difficult to find or even identify specific victims (though efforts are always made to do so). In addition, the life situations of some victims may have changed so that they are not able to take advantage of, for example, a years-overdue job offer. It may be members of the victim group other than these actually injured who become the beneficiaries of legal action. This does not seem entirely fair. At the same time, however, the reason victims are often difficult to find is the success discriminators had in keeping their illegal actions secret. It seems wrong to let them use this success as a basis for avoiding making compensation.

[7]Note that no one has seriously proposed opening up <u>all</u> jobs to competition on the basis of merit. Those who already have jobs get to keep them no matter how they were obtained or what their level of competence is compared to other potential applicants (see "Employment Discrimination and Title VII..." 1971; Thurow 1975).

[8]Studies of minority group economic success often show that dominant group members, when faced with such success and their own relative failure,

tend to conclude that the minority must have "cheated" in some way to get where it did; see, for example, Bonacich and Modell 1980, Ch. 4.

[9]Much work has been done on ascertaining the value of work independently of market forces, but there is a lot of resistance to the results. Some jurisdictions have laws mandating equal pay for work of equal value, but implementing them has proven very difficult. See the essays by Marsden and Remick in Ratner 1980b.

References

Abramson, Joan. 1977. "Measuring Success, or, Whatever Happened to Affirmative Action?" Civil Rights Digest 9 (Winter): 14-27.

Abramson, Joan. 1979. Old Boys New Women: The Politics of Sex Discrimination. New York: Praeger.

Baron, James, and William Bielby. 1982. "Workers and Machines." American Sociological Review 47 (April): 175-88.

Bartholet, Elizabeth. 1982. "Applications of Title VII to Jobs in High Places." Harvard Law Review (March): 947-1027.

Becker, Gary. 1971. The Economics of Discrimination. 2nd edition. Chicago: University of Chicago Press.

Beller, Andrea. 1982. "The Impact of Equal Opportunity Policy on Sex Differentials in Earnings and Occupations." American Economic Review (Papers and Proceedings) 72 (May): 171-5.

Benokraitis, Nijole, and Joe Feagin. 1978. Affirmative Action and Equal Opportunity. Boulder, CO: Westview Press.

Bonacich, Edna, and John Modell. 1980. The Economic Basis of Ethnic Solidarity. Berkeley: University of California Press.

Burstein, Paul. 1979. "EEO Legislation and the Incomes of Women and Nonwhites." American Sociological Review 44 (June): 367-91.

Butler, Richard, and James Heckman. 1977. "The Government's Impact on the Labor Market Status of Black Americans." Pp. 235-281 in Equal Rights and Industrial Relations, edited by Leonard Hausman, Orley Ashenfelter, Bayard Rustin, Richard Schubert, and Donald Slaiman. Madison, WI: Industrial Relations Research Association.

Chafe, William. 1977. Women and Equality. New York: Oxford.

Collins, Randall. 1971. "Functional and Conflict Theories of Educational Stratification. American Sociological Review 36 (December): 1002-19.

Collins, Randall. 1975. Conflict Sociology. New York: Academic Press.

Cook, Karen. 1975. "Expectations, Evaluations and Equity." American Sociological Review 40 (June): 372-88.

Dorn, Edwin. 1979. Rules and Racial Equality. New Haven: Yale University Press.

"Employment Discrimination and Title VII of the Civil Rights Act of 1964." 1971. Harvard Law Review 84 (March): 1109-1316.

Featherman, David, and Robert Hauser. 1976. "Sexual Inequalities and Socioeconomic Achievement in the U.S., 1962-1973." American Sociological Review 41 (June): 462-83.

Fernandez, John. 1981. Racism and Sexism in Corporate Life. Lexington, MA: Lexington Books.

"Firms are Disrupted by Wave of Pregnancy at Manager Level." 1981. Wall Street Journal (July 20): 1, 14.

Gallup, George. 1977. Gallup Poll: Public Opinion, 1972-1977. Volume 2. Wilmington, DE: Scholarly Resources.

Gallup, George. 1978. Gallup Poll: Public Opinion, 1978. Wilmington, DE: Scholarly Resources.

Glazer, Nathan. 1978. Affirmative Discrimination. New York: Basic.

Gould, Stephen Jay. 1981. The Mismeasure of Man. New York: Norton.

Granovetter, Mark. 1974. Getting a Job. Cambridge: Harvard.

Greenberger, Robert. 1982. "Firms Prod Managers to Keep Eye on Goal of Equal Employment." Wall Street Journal (May 17): 1, 23.

Gwartney, James, and Richard Stroup. 1973. "Measurement of Employment Discrimination According to Sex." Southern Economic Journal 39 (April): 575-87.

Hopkins, Anne. 1980. "Perceptions of Employment Discrimination in the Public Sector." Public Administration Review 40 (March/April): 131-7.

Homner, W. Clay, Jay Kim, Lloyd Baird, and William Bigoness. 1974. "Race and Sex as Determinants of Ratings by Potential Employers in a Simulated Work-Sampling Task." Journal of Applied Psychology 59 (December): 705-11.

Homans, George C. 1974. Social Behavior: Its Elementary Forms. revised edition. New York: Harcourt, Brace, Jovanovich.

Hill, Herbert. 1977. Black Labor and the American Legal System: Race, Work, and the Law. Washington, D.C.: Bureau of National Affairs.

Herbers, John. 1982. "Reagan's Changes on Rights Are Starting to Have Impact." New York Times (National edition) (January 24): 1.

"Harvard to Name a Panel to Advise Department Accused of Sex Bias." 1981. New York Times (November 20): 16.

Kanter, Rosabeth. 1977. Men and Women of the Corporation. New York: Basic.

Kesselman, Louis. 1948. The Social Politics of FEPC. Chapel Hill: University of North Carolina Press.

Kluegel, James. 1978. "Causes and Cost of Racial Exclusion from Job Authority." American Sociological Review 43 (June): 285-301.

Lerner, Melvin, Gale Miller, and John G. Holmes. 1976. "Deserving and the Emergence of Forms of Justice." Pp. 133-62 in Advances in Experimental Social Psychology, Volume 9, edited by Leonard Berkovitz and Elaine Walster. New York: Academic Press.

Lipset, Seymour Martin, and William Schneider. 1978. "The Bakke Case: How Would It Be Decided at the Bar of Public Opinion?" Public Opinion (March/April): 38-44.

Lipset, Seymour Martin, 1979. The First New Nation. New York: Norton.

"Looking Backward." 1980. Wall Street Journal (December 2): 34.

Mann, Judy. 1981. "Baloney." Washington Post (July 22): C1, C5.

"The New Bias on Hiring Rules." 1981. Business Week (May 25): 123-7.

Parkin, Frank. 1971. Class Inequality and Political Order. New York: Praeger.

Pear, Robert. 1981. "U.S. Agencies Vary on Rights Policy." New York Times National edition (November 16): 1.

Ratner, Ronnie Steinberg. 1980a. "The Policy and the Problem." Pp. 1-52 in Equal Employment Policy for Women, edited by Ronnie Steinberg Ratner. Philadelphia: Temple University Press.

Ratner, Ronnie Steinberg, ed. 1980b. Equal Employment Policy for Women. Philadelphia: Temple University Press.

Reed, Leonard. 1981. "What's Wrong With Affirmative Action." Washington Monthly 12 (January): 24-31.

Ricklefs, Roger. 1979. "Executive Recruiters Say Firms Tend to Hire 'Our Kind of Person.'" Wall Street Journal (September 19): 35.

Rosenbaum, James. 1979. "Organizational Career Mobility." American Journal of Sociology 85 (July): 21-48.

Rosenbloom, David. 1977. Federal Equal Employment Opportunity. New York: Praeger.

Ruchames, Louis. 1953. Race, Jobs, and Politics. New York: Columbia University Press.

Sawyer, Kathy. 1981a. "Senate Panel Starts Hearings on Constitutionality of Affirmative Action." Washington Post (May 5): A2.

Sawyer, Kathy. 1981b. "Job Bias Regulators Enforce the Law Down to the Decimal Point." Washington Post (May 5): A2.

Schlei, Barbara Lindemann, and Paul Grossman. 1976. Employment Discrimination Law. Washington, D.C.: Bureau of National Affairs.

Schlei, Barbara Lindemann, and Paul Grossman. 1979. Employment Discrimination Law, 1979 Supplement. Washington, D.C.: Bureau of National Affairs.

Schuman, Howard, Edward Walsh, Camile Olson, and Barbara Etheridge. 1981. "The Assumption that College Grades are Affected by Student Effort." Paper presented to the Annual Meeting of the American Sociological Association, Toronto.

Schumer, Fran. 1981. "A Question of Sex Bias at Harvard." New York Times Magazine (October 18): 96ff.

Sowell, Thomas. 1975. Race and Economics. New York: Longman.

Sowell, Thomas. 1976. "'Affirmative Action' Reconsidered." Public Interest 42 (Winter): 47-65.

Sowell, Thomas. 1981. "Poor Aim in War on Bias." New York Times (August 11): A17.

Spilerman, Seymour. 1977. "Careers, Labor Market Structure, and Socioeconomic Achievement." American Journal of Sociology 83 (November): 551-93.

Synott, Marcia Graham. 1979. The Half-Opened Door: Discrimination and Admissions at Havard, Yale, and Princeton, 1900-1970. Westport, CT: Greenwood Press.

"It's The Thought That Matters." 1981. Fortune (June 1): 26-8.

Thurow, Lester. 1975. Generating Inequality. New York: Basic.

U.S. Bureau of the Census. 1981. Statistical Abstract of the United States. 102nd edition. Washington, D.C.: Government Printing Office.

U.S. Congress, House, Committee on Education and Labor. 1963. Hearings on Equal Employment Opportunity, H.R. 405 and Similar Bills. Washington, D.C.: Goverment Printing.

Villemez, Wayne. 1977. "Male Economic Gain From Female Subordination." Social Forces 56 (December): 626-36.

Welch, Finis. 1981. "Affirmative Action and Its Enforcement." American Economic Review (Papers and Proceedings) 71 (May): 127-33.

White, Theodore. 1982. "Summing Up." New York Times Magazine (April 25): 32ff.

Wolf, Wendy, and Neil Fligstein. 1979. "Sex and Authority in the Workplace." American Sociological Review 44 (April): 235-52.